

CITY OF EUREKA
CITY COUNCIL / EUREKA REDEVELOPMENT AGENCY
AGENDA

Regular Council/Agency Meeting
Tuesday, April 18, 2006
Closed Session - 5:30 p.m.
Regular Session - 6:30 p.m.
CITY COUNCIL CHAMBERS
CITY HALL - 531 "K" STREET
EUREKA

Adjourned Council/Agency Mtg.
Thursday, April 20, 2006
Closed Session - 5:30 p.m.
Regular Session - 6:30 p.m.
CITY COUNCIL CHAMBERS
CITY HALL - 531 "K" STREET, EUREKA

All persons in attendance at public meetings are requested to observe the following rules of civil debate:

1. We may disagree, but we will be respectful of one another.
2. All comments will be directed to the issue at hand.
3. Personal attacks are unacceptable.

ACCESSIBILITY NOTICE: The meeting room is wheelchair accessible. Accommodations and access to City meetings for people with other special needs must be requested of the City Clerk at 441-4175 in advance of the meeting. This agenda and other materials are available in alternative formats upon request.

ROLL CALL

CLOSED SESSION NOTE: Closed Session will commence at 5:30 p.m. with a 6:25 p.m. curfew.

A. PUBLIC COMMENT PERIOD

(Limited to 3 minutes each speaker on closed session agenda items only)

B. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation: one case.

Pursuant to California Government Code Section 54956.9(b)

REGULAR SESSION – 6:30 P.M.

INVOCATION Cheryl A. Seidner, Tribal Chairwoman, Wiyot Tribe

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR'S ANNOUNCEMENTS

Presentation to the City of Eureka from Senator Dianne Feinstein for Eureka's 150th Birthday.

Eureka's 150th Anniversary Community Celebration, April 22, 2006 from 1:00 p.m. to 5:00 p.m. at the Adorni Center

Presentation of Proclamations: "Godwit Days" April 21-23, 2006

COUNCIL REPORTS

Councilmember Leonard: Report regarding Sequoia Park Zoo Foundation's need for new members.
Request to agendaize discussion of Measure T.

PUBLIC HEARINGS

1. Public Hearing – Oral auction of city-owned real property located at 1716 Fifth Street.

- Recommendation:
1. Open the public hearing and conduct an oral auction for purchase of city-owned real property located at 1716 Fifth Street, Eureka, APN 002-075-006. Accept an opening oral bid in an amount at least five percent (5%) greater than the highest valid written offer, accompanied by a ten percent (10%) deposit, and all subsequent, higher oral bids until a highest oral bid has been reached and no further bids are forthcoming.
 2. Close the public hearing.
 3. Council declare highest bidder, and direct staff to open an escrow account with that bidder.
 4. Direct staff to return all unsuccessful bid deposits.

(City Manager & City Attorney)

2. Public Hearing – Eureka Pacific, Vigo Street Mixed Use Development coastal development permit, 2616 Broadway, APN 007-121-005 & -007

Recommendation: 1. Hold a public hearing.
2. Adopt the Mitigated Negative Declaration (SCH# 200562024) and the Mitigation Monitoring and Reporting Program;
3. Adopt the Findings of Fact as listed in Exhibit ‘A’; and
4. Approve the Coastal Development Permit subject to the Conditions of Approval and Mitigation Measures listed in Exhibit ‘B’.

(Community Development Director)

3. Public Hearing – Vacation of a portion of “U” Street right-of-way between 5th and 6th Streets.

Recommendation: 1. Hold a public hearing.
2. Order the street vacation by adopting the resolution ordering the vacation of the South 210 feet of that portion of “U” Street as shown on the Map of Eddy Tract as per Map recorded in Book 1 of Maps, page 56, which lies between the South line of 5th Street and the North line of 6th Streets. (Community Development Director)

4. Public Hearing – Rodriguez variance – 3563 Oregon Street; APN 008-212-010; Appeal of the action of the Planning Commission to deny the requested variance for lot width and lot area (V-05-024).

Recommendation: 1. Hold a public hearing.
2. Adopt the Findings of Fact in Exhibit A;
3. Approve the variance request; and
4. Refer the City’s Secondary Dwelling Unit ordinance to the Planning Commission for review and recommended action.

(Community Development Director)

PUBLIC COMMENT PERIOD

NOTE: This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. You may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to City Council Minute Order dated May 4, 1989, City Council policy is to limit each speaker to three (3) minutes. Such time allotment or portion thereof shall not be transferred to other speakers. Pursuant to City Council Minute Order dated June 6, 2000, the public will be allowed to speak concurrently with the calling of an agenda item following the staff presentation of that item.

Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on the Agenda.

5. Is there any person in the audience who wishes to address the Council at this time?

CONSENT CALENDAR

Notice to the Public: All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Unless a specific request is made by a Councilmember or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately.

6. Council meeting minutes.

Recommendation: Approve the regular Council/Redevelopment Agency Board meeting minutes of April 4, 2006 as submitted.
(City Clerk)

7. Claim for damages – Mathewson, Charles.

Recommendation: Reject the claim for damages of Mathewson, Charles.
(City Attorney)

8. Mayor's appointments to boards and commissions.

Recommendation: Approve the Mayor's appointments to boards and commissions with the following expiration dates:

Planning Commission	Pam Service	01/01/2010
Redevelopment Advisory Board	Joan Rainwater-Gish	01/01/2010
Redevelopment Advisory Board	Elaine Gray	01/01/2008
Design Review Committee	Mary Ann McCulloch	01/01/2008
Design Review Committee	Travis Schneider	01/01/2009
Design Review Committee	Xandra Manns	01/01/2010
Design Review Committee	Tom Binne	01/01/2007
Design Review Committee	Jeff Katz	01/01/2010
Open Space, Parks & Rec. (Trails seat)	Mike Buettner	01/01/2010

(Mayor)

9. Request for exception to the hiring freeze – Water Quality Technician.

Recommendation: Approve the exception to the hiring freeze for the Water Quality Technician position, which is already included in the FY 05/06 budget.

(Personnel Director)

10. Request for exception to the hiring freeze – Pretreatment Coordinator.

Recommendation: Approve the exception to the hiring freeze for the Pretreatment Coordinator position, which is already included in the FY 05/06 budget.

(Personnel Director)

11. Ninth Annual Soroptimist Women's Health Fair.

Recommendation: Waive fees for rental of the Adorni Center May 20, 2006.

(City Manager)

12. 2006 Certified Local Government grant application for completion of historic context & reconnaissance survey of resources in Downtown begun in 2003

Recommendation: 1. Authorize City Staff to submit a 2006 CLG Grant application to the State Office of Historic Preservation for \$15,000.00 to complete the historic context & reconnaissance survey of resources in Downtown begun in 2003.

2. Allocate up to \$10,000 for local match share from the General Fund.

(Community Development Director)

13. 2005 Investment Report & Policy Update.

Recommendation: 1. Receive and file the 2005 investment report.
2. Adopt the Investment Policy for the City of Eureka, the Eureka Redevelopment Agency, and the Eureka Public Financing Authority.
(Finance Director)

14. Third Quarter FY 05/06 Investment Report for the City of Eureka and Eureka Redevelopment Agency.

Recommendation: Receive and file the Quarterly Investment Report from January through March 2006 for the City of Eureka and the Eureka Redevelopment Agency.
(Finance Director)

15. Water and Sewer Improvements 2006 – Bid No. 2006-01.

Recommendation: 1. Declare Wahlund Construction low bidder; and
2. Award the construction contract for Water and Sewer Improvements 2006, Bid No. 2006-01, to Wahlund Construction in the amount of \$321,244.00 and approve a total of \$371,244.00 to provide a contract contingency.
(City Engineer)

16. Mad River Pipeline – North Arcata Section – Bid No. 2006-06.

Recommendation: 1. Declare Mercer-Fraser Co. the low bidder on the Mad River Pipeline – North Arcata Section;
2. Award Bid No. 2006-06 to Mercer-Fraser Co. for the amount of \$ 1,299,600, and approve \$1,500,000 for construction, which includes a contingency of approximately 15%.
(City Engineer)

17. Eureka Redevelopment Agency – Fisherman's Terminal Property Exclusive Right to Negotiate extension request.

Recommendation: Authorize a 180-day Exclusive Right to Negotiate Agreement extension between the Eureka Redevelopment Agency and J.P. & Associates, Inc. for the sale and development of AP # 001-011-014.
(Redevelopment and Housing Director)

18. Eureka Redevelopment Agency – RV Park Project Exclusive Right to Negotiate extension request.

Recommendation: Authorize a 180-day Exclusive Right to Negotiate Agreement extension between the Eureka Redevelopment Agency and CUE IV, LLC for the purchase and development of Assessor's Parcel Number (APN) 002-241-007, as well as a portion of APN 002-241-011 which is yet to be determined.
(Redevelopment and Housing Director)

19. Eureka Redevelopment Agency – Tydd Street -- Exclusive Right to Negotiate extension request.

Recommendation: Authorize a 180-day Exclusive Right to Negotiate Agreement extension with Steve Strombeck, Matt Nilson and Greg Pierson for the purchase and development of 1.43 acres of property located on Tydd Street (Assesor's Parcel No. 002-191-013).
(Redevelopment and Housing Director)

REPORTS/ACTION ITEMS

20. Utility Users Tax.

Recommendation: 1. Consider summary of actions needed to place Utility Users Tax Ordinance on November 2006 ballot.
2. Provide direction to staff regarding actions to be taken.
(Finance Director)

21. Discussion regarding St. Joseph's Hospital restructuring and potential layoffs.
(City Council)

22. Resolution of the City Council of the City of Eureka encouraging reducing costs of transportation service for students of College of the Redwoods.
(Councilmember Kerrigan)

23. Resolution of the City Council of the City of Eureka in support of same-sex civil marriages with full equality of rights and privileges as any heterosexual civil marriage.
(Councilmember Kerrigan)

CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS

ADJOURNMENT

NOTE: If open session items cannot be completed by 10:00 p.m., the meeting will be continued to the adjourned regular meeting on the following Thursday, as noted above on the heading of this agenda.

If closed session items cannot be completed by 6:25 p.m., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the adjourned regular meeting on the following Thursday, as noted above on the heading of this agenda.